

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

In re: Vicky Rodríguez-Torres
Debtor

Vicky Rodríguez-Torres
Plaintiff

v.

Enid López-López
Guillermo Camba-Casas
Mariela Rexach-Rexach
Government Development Bank PR, et al.
Defendants

09-10864-BKT7
Chapter 7

ADVERSARY PROCEEDING
10-00137-BKT

18 U.S.C. § 1030,
18 U.S.C. § 2510,
18 U.S.C. § 2701,
42 U.S.C. § 1983,
42 U.S.C. § 1985,
42 U.S.C. § 1988,
TORTS

AFFIDAVIT OF NON-COMPLIANCE
WITH Fed. R. Bankr. P.7026-1(f)

TO THE HONORABLE COURT:

Now comes attorney William E. Meléndez, appearing on behalf of Debtor and here Plaintiff Vicky Rodríguez-Torres, and under penalty of perjury states as follows:

1. On September 29th, 2010, Debtor filed a motion requesting an extension of time to comply with the requirements as set forth by **Fed. R. Civ. P.26(a)(1)** and **L. R. Bankr. P.7026-1**. See: **ECF No. 15**.
2. On October 5th, 2010, the Court granted the above mentioned motion, ordering compliance by October 15th, 2010. See: **ECF No. 24**.
3. On October 14th, 2010, the undersigned forwarded to counsel for appearing co-defendants a proposed Discovery Plan,

substantially conforming with **LBF K**, requesting their input in furtherance of a joint filing by the October 15th, 2010, deadline.

4. Counsel for appearing co-defendants, consistent with what they had shared with the undersigned during their tele-conference held on October 13th, 2010, confirmed on this date that they would be moving this Honorable Court to continue the discovery process in the instant case (See: **ECF No. 37**).
5. The undersigned's position was at all times during the conference, that the Discovery Plan was due on October 15th, 2010, and as such, asked for leave of Court to file a separate Discovery Plan on October 15th, 2010 (See: **ECF No. 35**).
6. Debtor at all times sought to diligently confer with counsel for co-defendants to file a joint Discovery Plan, to no avail. To no fault or her own, and due only to counsel for co-defendants' failure to cooperate, the parties did not file said discovery plan on the due date of October 15th, 2010.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury the foregoing as true and correct, this 18th day of October, 2010, in New York, New York.


William E. Meléndez